

RESPONSE AND REMARKS

NOTICE OF REFERENCES

A Notice of References (FORM PTO-892) cited by the Examiner was not enclosed with the first Office Action. During a Telephone Interview on August 17, 2004, a copy of the Notice of References (FORM PTO-892) associated with the Office Action was requested. Although a copy of the Notice of References associated with the Final Office Action was received, no Notice of References cited by the Examiner in the first Office Action has yet been received. Applicant respectfully requests a copy of the Notice of References (FORM PTO-892) for the first Office Action.

ELECTION REQUIREMENT

In the Final Office Action, the Examiner issued a restriction requirement, construing previously presented claims 1-6 as Group I, and construing new Claims 7-12 as Group II. The Examiner stated that because "applicant has received an action on the merits for the originally presented invention, this invention" (construed by the Examiner as Group I, Claims 1-6) has been constructively elected by original presentation for prosecution on the merits." The Examiner then stated that "claims 5-15 [sic] are withdrawn from consideration as being directed to a non-elected invention." Final Office Action, pp. 2-3, Numbered Topics 3-6.

Pursuant to the restriction requirement dated December 7, 2004 and in accordance with 35 U.S.C. 121 and 37 C.F.R. § 1.142, Applicant formally confirms election of, and hereby formally elects, for further examination the invention construed by the Examiner as Group I, described by the Examiner as Claims 1-6; Claims 7-12 corresponding to non-elected Group II, are withdrawn from examination without prejudice to Applicant's filing in accordance with 35 U.S.C. §§ 120 and 121 and 37 C.F.R. § 1.142, during the pendency of the present Application, a divisional application directed to non-elected Group II construed by the Examiner as Claims 7-12.

SECTION 103(a) REJECTIONS

In the Final Office Action, the Examiner rejected Claims 1-6 under section 103(a) as being unpatentable over Gravell et al. (U.S. Patent No. 6,546,377) ("Gravell"), in view of Piccione (U.S. Patent No. 4,495,581) ("Piccione").

With respect to the cited references, Piccione discloses zip-to-zone rating for a pre-specified carrier -- that is, a carrier must be pre-specified by a user in order for the Piccione system to provide zip-to-zone rating. Gravell discloses a postage evidencing system for a single carrier, namely, the United States Postal Service. It is respectfully submitted that, at most, combining the two references discloses providing zip-to-zone rating for a pre-determined carrier.

It is respectfully submitted that there is no disclosure in either the Gravell or Piccione references, whether considered alone or in combination, of origin and destination rating zone identifications for *each of a plurality of carriers* as recited by the claims of the present invention, as previously presented.

As compared to the disclosures of the Gravell or Piccione references of zip-to-zone rating for a pre-determined carrier, the claims of the present invention, as previously presented, recite origin and destination rating zone identifications for *each of a plurality of carriers*. In particular, independent Claims 1, 3 and 5 (as previously presented) are directed to determine/determining "a carrier-specific respective origin rating zone identifier corresponding to the particular respective origin postal code *for each of a plurality of carriers* . . ." (emphasis added); and to determine/determining "a carrier-specific respective destination rating zone identifier *corresponding to the particular respective destination postal code for each of a plurality of carriers* . . .".

Accordingly, it is respectfully submitted that neither the Gravell or Piccione references, whether considered alone or in combination, disclose origin and destination rating zone identifications for *each of a plurality of carriers* as recited by the claims of the present invention.

For the foregoing reasons, because independent Claims 1, 3, and 5 (as previously presented), are patentable over the cited references, it is respectfully

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submitted that dependent Claims 2, 4, and 6 are therefore also patentable over the cited references.

In view of the previously presented amendments, Applicant respectfully submits that the invention claimed in the present amended application is not fairly taught by any of the references of record, whether taken alone or in combination, and that the application is in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and allowance of the amended application.

Respectfully submitted,

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